

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

X

UNITED STATES OF AMERICA,

18-cr-00373-RJS-11

-against-

ERNEST MURPHY et al.,

DEFENDANT.

X

**PLEASE TAKE NOTICE**, that upon the annexed Declarations of Patrick Joyce and Defendant Ernest Murphy ("Defendant"), the annexed Exhibits and the prior proceedings in this case, the undersigned will move this Court before the Honorable Richard J. Sullivan, for the following Orders:

1. Dismissing Count I of the indictment on the basis of improper venue;
2. Suppressing the evidence obtained against Defendant from electronic surveillance, including cell site information (historical and prospective), pen register information, location information pursuant to a triggerfish warrant, and all interceptions of Defendant's voice pursuant to wiretaps, or in the alternative, ordering a Franks hearing;
3. Severing the trial of Defendant from those in his Group charged with Count II of the Indictment;
4. Granting early disclosure of 404(b) evidence;
5. Granting Defendant the right to join the motions of co-Defendants challenging the Government's Title III wiretaps; and
6. Granting such additional relief as the Court deems just and proper.
7. Defendant reserves the right to request a formal bill of particulars.
8. No previous application for the relief sought herein has been made to any Court.

Dated: February 15, 2019  
New York, NY

  
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